

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

JUAN LUNA DOMINGUEZ and MARLON JOSE GRANADOS, individually and on behalf of all other persons similarly situated who were employed by GALAXY RECYCLING INC., JOSEPH SMENTKOWSKI, INC. d/b/a GALAXY CARTING and/or SMENTKOWSKI GARBAGE REMOVAL and/or any other entities affiliated with or controlled by GALAXY RECYCLING INC., JOSEPH SMENTKOWSKI, INC. d/b/a GALAXY CARTING and/or SMENTKOWSKI GARBAGE REMOVAL,

Docket No.: 12-cv-7521 (MCA) (LDW)

Plaintiffs,

-against-

GALAXY RECYCLING INC., JOSEPH SMENTKOWSKI, INC. d/b/a GALAXY CARTING and/or SMENTKOWSKI GARBAGE REMOVAL, and GARY GIORDANO, individually,

Defendants.

PROOF OF CLAIM FORM AND RELEASE

TO: All drivers, driver's helpers, waste collectors and loaders that were employed by Defendants GALAXY RECYCLING INC., JOSEPH SMENTKOWSKI, INC. d/b/a GALAXY CARTING and/or SMENTKOWSKI GARBAGE REMOVAL from December 7, 2010 through December 31, 2015 (the "Class").

CLAIM FORM INSTRUCTIONS

YOU MUST COMPLETE THIS FORM IF YOU WANT TO PARTICIPATE IN THIS SETTLEMENT

1. YOU ARE ENCOURAGED TO READ THE NOTICE OF PROPOSED SETTLEMENT OF CLASS ACTION (THE "NOTICE"), WHICH ACCOMPANIES THIS CLAIM FORM.
2. TO BE ENTITLED TO PARTICIPATE IN THIS PROPOSED CLASS ACTION SETTLEMENT, YOU MUST MAIL, FAX OR EMAIL THIS CLAIM FORM WITH SUPPORTING DOCUMENTS ON OR BEFORE **[60 DAYS FROM MAILING]** (THE "CLAIM BAR DATE") TO:

FRG Information Systems Corp.
P.O. Box _____
New York, NY _____
Re: Galaxy/Smentkowski Class Action

Fax No. (212) _____
E-Mail _____ .com

3. IF YOU FAIL TO SUBMIT A PROPERLY ADDRESSED AND FULLY COMPLETED CLAIM FORM WITH THE REQUIRED SUPPORTING DOCUMENTS POST- MARKED, FAXED OR EMAILED BY **[60 DAYS FROM MAILING]** YOU WILL BE PROHIBITED FROM PARTICIPATING IN THIS SETTLEMENT, UNLESS OTHERWISE PERMITTED BY THE COURT.

CLAIMANT IDENTIFICATION AND REQUIRED SUPPORTING DOCUMENTATION

AS A CLAIMANT YOU MUST PROVIDE A COPY OF ANY ONE OF THE FOLLOWING DOCUMENTS SUFFICIENT TO

ESTABLISH YOUR IDENTITY: (A) DRIVER'S LICENSE; (B) PASSPORT; (C) WORK AUTHORIZATION CARD ("GREEN CARD"); (D) ANY OTHER PHOTOGRAPHIC IDENTIFICATION WHICH IS NOT READILY SUBJECT TO FORGERY YOU MUST PROVIDE AT LEAST ONE (1) OF THESE DOCUMENTS. FAILURE TO PROVIDE SUFFICIENT DOCUMENTATION MAY RESULT IN THE REJECTION OR DELAY OF YOUR CLAIM.

THIS CLAIM FORM AND THE REQUIRED SUPPORTING DOCUMENTATION MUST BE FAXED, E-MAILED OR MAILED AND POST-MARKED ON OR BEFORE [60 DAYS FROM MAILING]*

* You shall be granted a fifteen day (15) extension beyond the Claim Bar Date in instances where you can show that you did not receive or could not reply to the Notice due to such circumstances as a change of address, military service or hospitalization.

RELEASE

By my signature below, by operation of the entry of the Final Order, and except as to such rights or claims as may be created by this Agreement, I hereby acknowledge and agree to release any all claims, demands, rights, actions, causes of action, liabilities, damages, losses, obligations, judgments, duties, suits, costs, expenses, matters and issues arising in any way through December 31, 2015, whether known or unknown, contingent or absolute, suspected or unsuspected, disclosed or undisclosed, liquidated or unliquidated, matured or unmatured, accrued or unaccrued, apparent or unapparent, including unknown claims, that could have been, or might be asserted in any court, tribunal or proceeding, against JOSEPH SMENTKOWSKI, INC. d/b/a GALAXY CARTING and/or SMENTKOWSKI GARBAGE REMOVAL as set forth in the Settlement Agreement and that arise out of, relate to, or concern the allegations in the Action, including statutory, constitutional, contractual or common law claims for unpaid regular or overtime wages, unpaid gratuities, service charges, tips, any related wage and hour claims, interest on such claims, penalties, damages, liquidated damages, attorneys' fees, expenses, disbursements, litigation costs and fees, restitution, or equitable relief.

CLAIMANT INFORMATION

SIGN HERE: _____

PRINT BELOW:

(First, Middle, Last)

(Area Code - Telephone Number (day))

(Address)

(Apartment)

City

State

Zip Code

Social Security or Tax Identification Number ("TIN")

**THE LAW FIRM OF VIRGINIA & AMBINDER REPRESENTS THE CLASS MEMBERS.
IF YOU HAVE ANY QUESTIONS PLEASE CALL VIRGINIA & AMBINDER AT (212) 943-9080**

**ALL CONVERSATIONS AND COMMUNICATIONS WITH VIRGINIA & AMBINDER, LLP SHALL BE
TREATED AS CONFIDENTIAL AND PRIVILEGED**

**YOU HAVE A RIGHT TO PARTICIPATE IN THIS SETTLEMENT
EVEN IF YOU ARE AN UNDOCUMENTED WORKER.**